



PATENT  
Customer No. 22,852  
Attorney Docket No. 03806.0459-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Olivier Fagebaume et al.

Application No.: 10/075,369

Filed: February 15, 2002

For: METHOD FOR PRODUCING BY ELECTROCHEMICAL PROCESS A CARBON-CONTAINING MATERIAL WITH ITS SURFACE MODIFIED BY ORGANIC GROUPS, USE OF THE MODIFIED MATERIAL

Group Art Unit: 3624

Examiner: R. Weisberger

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants bring to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

A copy of the listed document was made of record in prior application no. 09/383,959, filed on August 27, 1999, upon which applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claims in the application and applicants determine that the cited document does not constitute "prior art" under United States law, applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of the document.

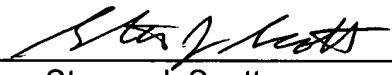
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should it be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 23, 2004

By:   
Steven J. Scott  
Reg. No. 43,911